

# HOUSE . . . . . No. 4210

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## The Commonwealth of Massachusetts

PRESENTED BY:

**A. Stephen Tobin**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act clarifying the intent and interpretation of Chapter 149, subsection 152A of the General Laws.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
A. Stephen Tobin	2nd Norfolk
Kathi-Anne Reinstein	16th Suffolk

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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An Act clarifying the intent and interpretation of Chapter 149, subsection 152A of the General Laws.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 152 A of Chapter 149 of the General Laws is amended by adding after  
2 subsection (e) the following sentence: Nothing in this section shall prohibit a person who serves  
3 beverages or prepared foods to patrons, or who clears patrons' tables, and who works in a restaurant,  
4 banquet facility, or other place where prepared food or beverages are served, from receiving from a patron  
5 a tip or sharing in a tip left by a patron to whom such person served beverages or prepared food, nor shall  
6 it be a violation of this section for an employer or other person to allow such tipping, tip sharing, or tip  
7 pooling.

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9           SECTION 2. This act shall take effect upon its passage, and this Act shall be retroactive to September 8,  
10 2004.

11